UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/616,899	07/09/2003	Michael A. Malcolm	217.1008.01	1664

22883 7590 12/29/2006

SWERNOFSKY LAW GROUP PC
P.O. BOX 390013
MOUNTAIN VIEW, CA 94039-0013

EXAMINER	
REZA, MOHAMMAD W	
ART UNIT	PAPER NUMBER
2136	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	12/29/2006	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/616,899	MALCOLM ET AL.	
	Examiner	Art Unit	
	Mohammad W. Reza	2136	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *09 July 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-26* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-26* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *09 July 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *06/24/05*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-26 are presented for examination.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. Claims 1-26 are rejected under 35 U.S.C. 102(a) as being anticipated by Unger et al hereafter Unger (US patent application 20020196939).

3. As per claim 1, Unger discloses a method, including steps of encoding a media stream into a digital content format representing that media stream; and encrypting a portion of that digital content, less than the entire digital content format representing that media stream, the portion of the digital content that is encrypted being required for presentation of the media stream (paragraphs, 0053, 0008); wherein the encrypted version of that digital content is substantially un-changed in formatting parameters from an unencrypted version of that digital content (abstract, paragraphs, 0053).

4. As per claim 2, Unger discloses a method wherein said steps of encoding provide an MPEG encoding of at least some video data (paragraphs, 0008).

5. As per claim 3, Unger discloses a method wherein said steps of encrypting include steps of encrypting at least some audio or video data using a block-substitution cipher (paragraphs, 0108, and 0127).

6. As per claim 4, Unger discloses a method wherein said steps of encrypting include steps of encrypting at least some audio or video data using a block-substitution cipher; and refraining from encrypting at least some audio or video data using that block-substitution cipher, wherein an amount of audio or video data not encrypted is less than a block size for that block-substitution cipher (paragraphs, 0108, and 0127).

7. As per claim 5, Unger discloses a method wherein said steps of encrypting include steps of identifying at least a first set of data and a second set of data in the digital format; and separately encrypting the first set of data and the second set of data; whereby the first set of data can be made available to a first set of users and the second set of data can be made available to a second set of users, the first set of users being distinguishable from the second set of users (abstract, paragraphs, 0053).

8. As per claim 6, Unger discloses a method wherein said steps of encrypting include steps of refraining from encrypting at least one of (a) information by which at least some audio or video data is described, or (b) at least some formatting information (paragraphs, 0108, and 0127).

9. As per claim 7, Unger discloses a method wherein the digital content format includes at least some audio or video data; and at least some formatting information (paragraphs, 0008).

10. As per claim 8, Unger discloses a method wherein the digital content format representing that media stream includes a set of layers, each relatively higher-level layer representing an abstraction for which each relatively lower-level layer represents an implementation thereof; a first set of relatively higher-level layers represent audio or

video information for the media stream (paragraphs, 0053, 0008), while a second set of relatively lower-level layers represent techniques by which that information is formatted or supplemented; and the step of encrypting is applied only to that portion of the digital content representing audio and video information (abstract, paragraphs, 0053).

11. As per claim 9, Unger discloses a method wherein the digital content format representing that media stream includes a set of layers, each relatively higher-level layer representing an abstraction for which each relatively lower-level layer represents an implementation thereof; a first set of relatively higher-level layers represent audio or video information for the media stream (paragraphs, 0053, 0008), while a second set of relatively lower-level layers represent techniques by which that information is broken into packets, indexed, multiplexed, or supplemented with metadata; and the step of encrypting is applied only to that portion of the digital content representing audio and video information (abstract, paragraphs, 0053).

12. As per claim 10, Unger discloses a method wherein the digital content format representing that media stream includes a set of layers, each relatively higher-level layer representing an abstraction for which each relatively lower-level layer represents an implementation thereof; a first set of relatively higher-level layers represent audio and video information for the media stream (paragraphs, 0053, 0008), while a second set of relatively lower-level layers represent techniques by which that information is broken into packets, indexed, multiplexed, or supplemented with metadata; and the step of encrypting is not applied to at least part of that portion of the digital content representing other than audio and video information (abstract, paragraphs, 0053).

13. As per claim 11, Unger discloses a method wherein the media stream includes at least one of: a movie, animation, sound, still media, a picture, an illustration, a database, a collection of information (paragraphs, 0008).

14. As per claim 12, Unger discloses a method including steps of selecting that portion of the digital content for encryption so there is no substantial change in distribution of that digital content (abstract, paragraphs, 0053).

15. As per claim 13-14, Unger discloses a method wherein said steps of selecting include ensuring there is no substantial change in packetization of a set of digital data in that digital content, wherein said steps of selecting include ensuring there is no substantial change in synchronization of audio with video portions of the media stream (abstract, paragraphs, 0053).

16. As per claim 15, Unger discloses a method wherein said steps of selecting include ensuring there is no substantial change in length of at least some identifiable audio or video data in that digital content (paragraphs, 0008).

17. As per claim 16, Unger discloses apparatus including an input port capable of being coupled to a communication link, the communication link being capable of carrying digital content, the digital content including at least some presentable information and at least some formatting information; a digital content decoder, the decoder being capable of identifying the presentable information in response to the formatting information (paragraphs, 0053, 0008); a digital content decryptor, the decryptor being capable of decrypting the presentable information in response to a key;

wherein the decryptor is protected by a relatively-higher degree of security than the decoder (abstract, paragraphs, 0053).

18. As per claim 17, Unger discloses apparatus wherein the communication link includes at least one of: a computer network capable of carrying digital content; a reader capable of retrieving information in response to physical media, the physical media being capable of carrying digital content (paragraphs, 0008).

19. As per claim 18, Unger discloses apparatus wherein the decoder includes an MPEG decoder (paragraphs, 0008).

20. As per claim 19, Unger discloses apparatus wherein the decoder is included in a first selected set of hardware or software, the first selected set being trusted; and the decryptor and the key are included in a second selected set of hardware or software, the second selected set being relatively more trusted than the first selected set (paragraphs, 0108, and 0127).

21. As per claim 20, Unger discloses apparatus wherein the decoder is responsive to the formatting information to present at least some metadata about one or more media streams without the decoder having access to the presentation information (paragraphs, 0008).

22. As per claim 21, Unger discloses apparatus wherein the decoder is responsive to the formatting information to provide at least one of the following functions without the decoder having access to the presentation information: known playback functions known for media streams; navigation within the digital content; content selection within the digital content; or manipulation of the presentation (paragraphs, 0008).

23. As per claim 22, Unger discloses apparatus wherein the digital content represents a media stream including at least one of: a movie, animation, sound, still media, a picture, an illustration, a database, a collection of information (paragraphs, 0008).

24. As per claim 23, Unger discloses apparatus wherein the relatively-higher degree of security includes tamper-resistant hardware operating under control of verified software (paragraphs, 0108, and 0127).

25. As per claim 24, Unger discloses apparatus wherein the digital content represents a first media stream and a second media stream, the decoder being responsive to the formatting information and the decryptor being responsive to a selected key, the selected key providing differential access to selected users to the first media stream and the second media stream (paragraphs, 0008).

26. As per claim 25, Unger discloses apparatus wherein the first media stream includes audio information and the second media stream includes video information; the first media stream includes information in a first language and the second media stream includes information in a second language; the first media stream includes presentation information targeted at a first type of audience and the second media stream includes information targeted at a first type of audience (abstract, paragraphs, 0053).

27. As per claim 26, Unger discloses a method, including steps of encoding a media stream into a digital content format representing that media stream, that digital content format having a set of information nodes, those information nodes being disposed in at least a partial ordering; encrypting a portion of that digital content, the portion being

encrypted less than the entire digital content format representing that media stream (paragraphs, 0053, 0008), the portion of the digital content that is encrypted being required for presentation of the media stream; wherein the unencrypted portion of that digital content is substantially closed in a direction under that partial ordering, whereby it is possible to decode the unencrypted portion of that digital content without having to decrypt it (abstract, paragraphs, 0053).

Conclusion

28. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohammad w. Reza whose telephone number is 571-272-6590. The examiner can normally be reached on M-F (9:00-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, MOAZZAMI NASSER G can be reached on (571)272-4195. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you

have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mohammad Wasim Reza

AU 2136

NASSER MOAZZAMI
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 21

12,23,06